

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,  
*ex rel.* CRYSTAL JOHNSON,

Plaintiff,

v.

LINDE AG, et al.,

Defendants.

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

NO.: 17-cv-1012

**FILED UNDER SEAL**

**ORDER**

And now, this \_\_\_\_ day of \_\_\_\_\_, 2020, IT IS ORDERED that:

1. The following documents shall be unsealed:

(a) the Complaint;

(b) the Notice of Intervention for Purpose of Settlement;

(c) this Order; and

(d) any pleadings or orders filed after this time, including but not limited to Plaintiffs' Joint Stipulation of Dismissal, when filed, and its accompanying order.

2. All other pleadings shall remain under seal.

BY THE COURT:

---

HARVEY BARTLE III  
*Senior Judge*, United States District Court

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,	:	
<i>ex rel.</i> CRYSTAL JOHNSON,	:	NO.: 17-cv-1012
	:	
Plaintiff,	:	<b>FILED UNDER SEAL</b>
	:	
v.	:	
	:	
LINDE AG, <u>et al.</u> ,	:	
	:	
Defendants.	:	

**UNITED STATES' NOTICE OF INTERVENTION  
FOR THE PURPOSE OF SETTLEMENT**

Pursuant to the False Claims Act, 31 U.S.C. §§ 3730(b)(2) and (b)(4), the United States of America notifies the Court of its decision to intervene for the purpose of settlement against defendants Linde AG and Linde Engineering North America, Inc.<sup>1</sup> (collectively, "Linde"). The United States and the Relator have settled the claims asserted against Linde in this matter.

The United States requests that the following documents be immediately unsealed:

- a. This Notice of Election to Intervene; and
- b. The relator's Complaint;
- c. The joint Stipulation of Dismissal; and
- d. Any resulting Orders after the date of this Notice.

---

<sup>1</sup> Following a corporate restructuring, Defendant Linde AG is now Linde GmbH, and Linde Engineering North America, Inc. is now Linde Engineering North America LLC.

The United States requests that all other papers or Orders on file in this matter remain under seal.

Upon payment pursuant to the Settlement Agreement, the United States and the relator will file a Stipulation of Dismissal as well as an accompanying proposed order.

A proposed order accompanies this notice.

Dated: September 23, 2020

Respectfully submitted,

JEFFREY BOSSERT CLARK  
Acting Assistant Attorney General

WILLIAM M. McSWAIN  
United States Attorney

/s/ Charlene Keller Fullmer for  
GREGORY B. DAVID  
Assistant United States Attorney  
Chief, Civil Division

/s/ Paul W. Kaufman  
LONDON Y. JONES III  
PAUL W. KAUFMAN  
Assistant United States Attorneys  
615 Chestnut Street, Suite 1250  
Philadelphia, PA 19106-4476

JAMIE ANN YAVELBERG  
COLIN M. HUNTLEY  
JENNIFER CHORPENING  
Attorneys, Civil Division  
United States Department of Justice  
P.O. Box 261, Ben Franklin Station  
Washington, DC 20044

**CERTIFICATE OF SERVICE**

I hereby certify that on this date a copy of **only** the foregoing Notice of Intervention for the Purpose of Settlement was sent by electronic mail to the following counsel for

Relator:

Stephen S. Hasegawa, Esquire  
Phillips & Cohen LLP  
100 The Embarcadero, Suite 300  
San Francisco, CA 94105



---

Paul W. Kaufman  
Assistant United States Attorney

Dated: September 23, 2020